

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Kwame McCauley,**

**Petitioner,**

**Case Nos. 2:20-cv-514; 2:17-cr-90**

**v.**

**Judge Michael H. Watson**

**United States of America,**

**Chief Magistrate Judge E. P. Deavers**

**Respondent.**

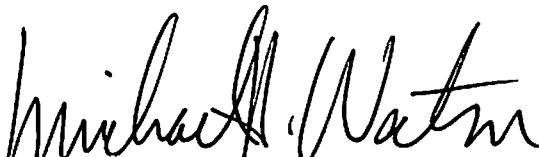
**ORDER**

On February 20, 2020, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending that Petitioner’s motion to vacate under 28 U.S.C. § 2255 be denied as time-barred pursuant to Rule 4 of the Rules Governing Section 2255 Proceedings in the United States District Courts (“the Habeas Rules”). R&R, ECF No. 214. Although the parties were advised of the right to object to the R&R, and of the consequences of failing to do so, no objections have been filed. The R&R, ECF No. 214, is therefore, **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**. The Clerk is **DIRECTED** to enter final judgment.

Pursuant to 28 U.S.C. § 2253(c)(1)(B) and Rule 11 of the Habeas Rules, the Court must determine whether to issue a certificate of appealability. Because Petitioner waived the right to file an appeal by failing to file objections to the R&R, *see Thomas v. Arn*, 474 U.S. 140, 147 (1985); *United States v. Walters*, 638 F.

2d 947, 950 (6th Cir. 1981), the Court **DECLINES** to issue a certificate of appealability.

**IT IS SO ORDERED.**



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**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**